

LICENSE PLATE AUCTION GROUP (LPAG)/DBSCC Joint meeting

1300 Broadway
Conference Room 1-F
Denver, CO 80203

June 5, 2015

Minutes to the Meeting

Members in Attendance: Maren Rubino, Mark Simon, Peter Pike, TH Mack, Ryan Carson (via phone)

Guests or DBSCC members in Attendance: LeeAnn Morrill, Zach Pierce, John Lizza, DBSCC Chair - Josh Winkler, David Henninger, Darla Stuart, Donovan O'Dell, Julie Reskin, Christy Blakely, Donna ?, Dave ?

All LPAG meetings are electronically recorded. Please refer to the meeting recording for further details.

CONVENE:

[Note: Partial recording of the meeting was received via email from Mark Simon. Most people are difficult to hear]

Meeting was convened at 1:16 pm.

Roll was taken.

Notes:

The recording was started after a discussion was completed around Darla's question asking "How did we get here?" The question was related to what happened to the draft legislation and why the Governor's Office and License Plate Auction Group withdraw its support of the bill. Zach Pierce gave a summary on why the Governor's Office and the License Plate Auction Group withdrew its support of HB15-1378.

When the recording started Peter was noting a communication issue with the legislation (between LPAG and DBSCC) and wanted action steps to that there would not be misinformation in the future. Additionally Peter is unclear as to what the Legislation was intended to do. He then detailed, quickly, the Auction history and then talked about proper vendor selection and funding of LPAG.

Don: believed that the legislation was designed to help the disabled by providing services through funding, which hasn't been achieved; that it was not designed to streamline anything.

Zach: thought that they were combining DBSCC's authorizing legislation vs. the legislation that was initiated to bring LPAG under DBSCC.

TH: believed that there was a healthy effort by the Vendor to produce events. Additionally he said that LPAG didn't find out until 10 days before the event, the vendor didn't have a list of people to invite, that there was confusion about who was to provide the list of participants. LPAG assumed the vendor was providing the list and they weren't. He continued that he had spoken to 25 professional athletes who said they would have attended had they known; others as well. If LPAG had known they would have selected a different Vendor.

Josh: made it clear that Marty Zimmerman did not sit on DBSCC's board but was a vendor for them as well, as there was some confusion amount the LPAG member as to whether or not he had sat on their Board. Josh then wanted to bring the conversation back to the legislation. He discussed what he believed were the results of LPAG's retreat, at least as reported back to DBSCC's board via Mark Simon; how the Governor's office thought that merging some PWD committees together might streamline some things. DBSCC struggled with the idea as they were having issues getting their own work done in the allotted time, much less taking on the LPAG work too. They finally decided that it might be possible with some subcommittee structures. Meetings between the elements of the two groups occurred; legislation was written, adjusted through "strike below" and failed. So he was curious what LPAG was hoping to achieve.

TH: said that the legislation was thrust upon them by the facilitator as a done deal.

Mark: interrupted and talked over TH by saying that he was making accusations about someone who was credible and didn't know DBSCC existed.

Josh: Asked for order and decorum and for people not to talk over each other.

TH: continued on that he believed the merger was thrust upon them, without discussion or benefit of decision or vote. TH brought it up, the facilitator apologized, LPAG thought there were a lot of questions and wanted to explore it further.

Josh: Summarized TH's point

Mark: Believed that TH had slandered a responsible, reliable guy, William Browning who acknowledged that he'd never heard of DBSCC until two hours into the meeting. That the accusation, for those who were there, Maren and Peter...

Maren – interrupting: stated she was only there for the first 5 minutes and then had to leave.

Mark: ...that William's suggestion was actually to give it to the State Internet Portal Authority (SIPA) and DBSCC came up as a second option. SIPA didn't want it and that's how it got to DBSCC.

TH: How did SIPA get to review it?

Dave: noted that Zach had said that LPAG had taken a vote to move it over to DBSCC and wanted a "Yes or No" answer to his question.

[Multiple people all talking over each other – unintelligible.]

Josh: TH has had a "tone" since he came in this room.

LeeAnn: Reminded everyone that they represent the Governor's Office and the Department of Personnel and Administration and what their roles were and that their tone(s) needed to change.

Zach: The meetings were recorded, people could go back and look, there as a vote to move forward with the legislation, it wasn't unanimous, but there was a vote.

TH: noted that LPAG voted to investigate and that it was not "locked and loaded".

Zach: ... and then LPAG voted to authorize a legislative draft and then there was a third vote to approve the draft.

TH: did not agree with the second vote.

Zach: To Peter's point there is confusion between DBSCC and LPAG and there was not consensus within LPAG.

TH: Asked when SIPA was approached?

Zach: Believed that it wasn't that SIPA didn't want it, but that when LPAG was considering the options DBSCC was the better fit.

TH: ...because LPAG was told DBSCC was a non-profit and then they found out that they weren't and were being held under the same standards as LPAG.

Zach: was having trouble following TH's train of thought and believed it had to do with questions of process.

TH: said it wasn't process, but that the process was weighted toward DBSCC, a non-profit, which TH looked up in the meeting, and discovered wasn't, and had to follow the same processes as LPAG and there would be no difference in the performance. So what was the point of joining LPAG and DBSCC if there process wouldn't improve or be streamlined any as they had the same restrictions.

Zach: tried to summarize TH's concerns about how the legislation got there.

TH: took over Zach's summarization and did it himself, restating his concerns about DBSCC not being a non-profit organization.

Zack: commented that this was a great segue to Peter's question which was whether the legislation was about streamlining or generating more revenue and what the confusion was. Zach continued to note DBSCC is better suited to generate more revenue than LPAG and that is not what the bill did. What the bill did was to say that no government board should be governing by committee to generate License Plate Auction revenue. The direction they'd like to move in is to empower an entity like DBSCC with the authority and the expertise to make the most informed procurement decisions possible; give the entity some autonomy to generate revenue through the sale of license plates.

[Unidentified]: as part of the legislation there would be a reappointment of all the members so it may be the same, it may be different, it maybe LPAG members, may be DBSCC members it could be entirely different board.

LeeAnn: LeeAnn summarized the first part of the meeting for Josh (who joined late); further each group needs to spend some time within themselves figuring out what it is that they want so that there can then be a series of stakeholder meetings with all the various state Agencies, the legislature, the two groups so that this can be thought out more carefully.

[Unidentified]: LPAG owes DBSCC money, what is the status of the payback, as LPAG spending authority ends on 6/30/2015?

TH: Stated the LPAG is aware of this and TH has stated in every single meeting about the repayment. There was a viable source, but it was eliminated. LPAG had a plan. LPAG had spenders who were willing to buy plates that would pay off their debt, but it was sabotaged by other folks. All recorded in the minutes.

[Multiple people talking over each other – unintelligible]

Josh: attempted to end the discussion and bring the group back around to the DBSCC meeting.

Peter: Didn't believe LPAG was equipped today to answer the question about loan repayment.

TH: I am a voting board member and I was party to it and I watched every piece of the element take off, the ... just wasted away to represent what you just asked, where's the repayment, and we had it to repay you, we were in a position to repay you and make you whole and move forward without you.

Don(?): noting we needed to move forward, that we've talked about the past and the "should of, could of, would of's". DBSCC is owed money by LPAG and that it has become a legal question. DBSCC has a fiduciary responsibility to collect the debt and LPAG spending authority ends 6/30/2015.

John: Has reviewed the loan documents with LeeAnn and there are some provisions for paying the debt out of its revenues, once a year to retire LPAG's debt. So there is no ability for DBSCC to demand payment of the entire debt all at once. So there doesn't appear to be a mechanism to call the entire debt. There is a meeting scheduled for 6/15 to discuss the issue.

Don: Discussed the entire failure to communicate between LPAG and DBSCC

TH: Agreed with the assessment of the loan and LPAG's intent to pay.

Don: He sees a lot of friction that is defeating the goal of to obtain. He believed, that as the legislature was no longer in session that everyone had time to calmly go back as groups and then come together and find a way to go forward.

Donna (on the phone—very difficult to understand): *unintelligible* [that there were meetings between the groups to propose legislation to help the disabled people of Colorado and that these should continue to go forward – or similar sentiments.]

Zach: Thought it might be helpful to document a timeline of all the official votes of the two groups with the official wording of the motions and vote results, for clarity sake.

TH: thought this was necessary and that he didn't think the LPAG meeting minutes were accurate and that they'd have to rely on the audio.

Zach: believed TH was volunteering to do so.

TH: said he'd do that if the group would like, he wouldn't be as cheap as Marty but they'd be done right.

Josh: Thought this was a good place to leave it.

[Multiple people talking over each other – unintelligible]

Josh: Thanked the LPAG people for coming and ended the discussion with LPAG and moved into the DBSCC formal meeting

Note: To request an electronic copy of the recording of this meeting, please contact Chris.Hochmuth@state.co.us via email.

Respectfully submitted
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